

REMARKS

The above-identified patent application has been reviewed in light of the Examiner's Action dated May 23, 2003. Claims 1-5, 7, 8 10, 11 and 17 have been amended without intending to abandon or to dedicate to the public any patentable subject matter. Claim 22 is new. Accordingly, Claims 1-22 are now pending. As set out more fully below, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

The disclosure stands objected to because of an informality due to a typographical error. In particular, the reference to a "body portion 108" in line 19 of page 7 should read --body portion 110--. This informality is corrected in the amendments set forth above.

Claims 1-10 and 17-21 stand objected to because of various informalities. In particular, Claims 1-5 and 7 contain occurrences of "latching" that should read --locking--. This typographical error has been corrected in the amendments set forth above, to ensure the use of consistent language throughout the specification and claims. In addition, in line 10 of Claim 1, line 2 of Claim 2, line 4 of Claim 8 and line 2 of Claim 10, the word "a" has been deleted. In Claim 10 at line 3, the word "a" has been changed to --the--. In Claim 17 at line 12 the word "first" has been changed to --second--. These amendments to correct the informalities noted by the Examiner do not narrow the scope of the claims.

Claims 1-10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In the amendments set forth above, Claim 1 has been amended to ensure proper antecedent basis, and Claim 7 has been amended to correct a typographical error and to comply with the Examiner's interpretation of the claim. These amendments do not narrow the scope of the claims.

Claims 1-6 and 9 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 4,012,155 to Morris ("Morris"). In order for a rejection under 35 U.S.C. §102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference (MPEP Section 2131). However, each and every element of the claims cannot be found in the Morris reference. In particular, Morris does not describe a spacer element comprising a plurality of recesses as recited by the rejected claims.

*Application No. 10/052160*

Accordingly, reconsideration and withdrawal of the rejections of Claims 1-6 and 9 are respectfully requested.

Claim 1 is generally directed to a universal snap fit spacer system. The recited system includes a spacer element having an interior bore and a plurality of recesses formed in the interior bore. Furthermore, the locking assembly of the fastener member also provided as part of the system may be received in at least one of the plurality of recesses to prevent the fastener member from being withdrawn from the spacer element.

The Morris reference is generally directed to a snap lock connector for components such as knock down furniture components. Accordingly, Morris discusses legs 12 having a female member 40. However, there is no disclosure in Morris of a spacer element having a plurality of recesses in which a fastener member may be received to prevent the fastener member from being withdrawn from the spacer element. Instead, the disclosure in Morris is limited to legs or components 12 that have no more than a single recess. Therefore, the rejections of Claims 1-6 and 9 should be reconsidered and withdrawn.

Claims 11-13 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 4,640,639 to Matsui (“Matsui”). In addition, Claims 14 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over Matsui in view of U.S. Patent No. 3,836,703 to Coules (“Coules”). In order to establish a *prima facia* case of obviousness under §103, there must be some suggestion or motivation to modify the reference or to combine the referenced teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all of the claim limitations (MPEP §2143). As set forth below, the cited references do not teach, suggest or disclose each and every element of the rejected claims. Accordingly, the rejections of Claims 11-14 and 16 as obvious should be reconsidered and withdrawn.

Claim 11 is generally directed to a method for interconnecting objects. According to the method, a first snap fit fastener member is interconnected to a first object and to a spacer element. In addition, a second snap fit fastener member is interconnected to a second object and to the spacer element such that the first and second objects are fastened to one another. In

*Application No. 10/052160*

addition, as amended, Claim 11 recites that each of the first and second objects are in contact with the spacer element, and that the fastener members are substantially identical to one another.

The Matsui reference is generally directed to a printed circuit board holding appliance. In particular, Matsui discusses a fitting member 24 that is fitted in a spacing holding member 14. (Matsui, col. 2, lns. 15-18). In the Office Action, the fitting members 24 are identified as fastener members and the spacing holding member 14 as a spacer element. Even so construed, Matsui does not teach, suggest or disclose a spacer element that is in contact with each of the first and second objects as recited by amended Claim 11. Furthermore, Applicant notes that amended Claim 11 recites that the first and second snap fit fasteners are substantially identical to one another. Accordingly, the fitting member 24 and mounting screw 46 could not be considered snap fit fastener members as claimed.

The Coules reference is generally directed to a circuit board spacer support. In particular, Coules discusses a one piece spacer support for a circuit board. (Coules abstract). Coules is cited in the Office Action for disclosing circuit boards of different thicknesses. However, Coules does not supply the elements missing from the Matsui reference as discussed above.

For the reasons set forth above, each and every element of the pending claims are not taught, suggested or disclosed by the cited references, whether those references are considered alone or in combination. Accordingly, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Applicant notes with appreciation the Examiner's indication that Claims 7, 8 and 10 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph and to include all of the limitations of the base claim and any intervening claims. However, as set forth above, it is submitted that Claim 1, from which Claims 7, 8 and 10 generally depend, is allowable in its present form.

Applicant additionally notes with appreciation the Examiner's indication that Claims 17-21 would be allowable if amended to overcome the informality noted with respect to Claim 17. In the amendments set forth above, Claim 17 has been so amended.

*Application No. 10/052160*

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



Brad M. Knepper

Registration No.

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: August 22, 2003

J:\4366\52\Amendment and Response.wpd